UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 APR 10 AM 11: 17

DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Ricardo SIERRA-Moreno** **AKA: Carlos GUMORO** **Carlos Antonio SANCHEZ** Defendant.	Magistrate Case No. '08 MJ 1100 COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326; Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about, **November 03, 2007**, within the Southern District of California, defendant, **Ricardo SIERRA-Moreno AKA: Carlos GUMORO; Carlos Antonio SANCHEZ**, an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Deportation Officer, Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **10th** DAY OF **April 2008.**

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

On Saturday, November 03, 2007, the defendant identified as **Carlos GUMORO** was arrested in Vista, California by the San Diego Sheriff's Office (Vista) for violation of Penal Code of California, PC-69 OBSTRUCT/RESIST EXECUTIVE OFFICER BY FORCE (Felony) and PC-243 (B)BATTERY ON PEACE OFFICER/EMERGENCY PERSONNEL/ETC (Misdemeanor) and was booked into county jail. On Monday, November 05, 2007, an Immigration Enforcement Agent with Immigration and Customs Enforcement (ICE) conducted various computer records checks and discovered that defendant's name was Ricardo SIERRA-Moreno and that he is a citizen of Mexico. Defendant had various aliases including Carlos GUMORO and Carlos Antonio SANCHEZ. A Form I-247 (Immigration Detainer) was placed pending his release from custody.

On Wednesday, April 09, 2008, the defendant was referred to United States Immigration and Customs Enforcement (ICE) custody. An Immigration Enforcement Agent reviewed various sources of information and conducted official record checks confirming defendant to be a citizen of Mexico having been previously removed from the United States. A thorough review of official immigration computer database record checks and information contained in the Alien Registration file revealed that the defendant was most recently ordered removed from the United States by an Immigration Judge on or about July 07, 1999 and physically removed to Mexico on or about July 07, 1999 via the San Ysidro Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) and Automated Fingerprint identification System (IAFIS) were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as **Ricardo SIERRA-Moreno** a citizen and national of Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.